

Message Text

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ACTION EB-07

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FM AMEMBASSY LONDON

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AMEMBASSY BRUSSELS

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BRUSSELS FOR US CIVAIR DEL WALDMANN

E.O. 11652: N/A

TAGS: EAIR, UK

SUBJ: CIVAIR - SEABOARD SERVICES

1. SEABOARD'S VP FOR EUROPE (BLAKE) AND WASHINGTON COUNSEL (FISHER) MET WITH DEPARTMENT OF TRADE UNDER SECRETARY ROGERS ON JAN 15 TO DISCUSS SEABOARD'S SERVICES TO AND THROUGH LONDON. ROGERS WAS TOLD THAT SEABOARD WOULD SHORTLY BE FILING NEW SCHEDULES AND UNLESS UKG GAVE THEM SPECIAL PERMISSION TO OPERATE SIX WEEKLY 747F SERVICES NEW YORK-LONDON-PARIS-NEW YORK, AIRLINE WOULD HAVE TO OPERATE THESE SERVICES NEW YORK-LONDON-PARIS-LONDON-NEW YORK THEREBY INCREASING COSTS TO SEABOARD AND CAPACITY AND CONGESTION AT LONDON. SEABOARD REPS ALSO SAID AIRLINE CONSIDERING ROUTING ITS ITALIAN SERVICES (WHICH NOW RETURN TO US VIA SHANNON) BACK THROUGH LONDON BECAUSE OF CREW LAYOVER REQUIREMENTS.

2. ROGERS REPEATED WHAT HE HAS SAID IN PAST. ONLY WAY UKG WOULD PERMIT CARRIAGE OF LONDON-NEW YORK TRAFFIC OVER PARIS ON REQUESTED 747 ROUTING WOULD BE IF SEABOARD REACHED A SATISFACTORY UNDERSTANDING WITH BRITISH AIRWAYS OR IF USG NEGOTIATED A QUID PRO QUO UNDER BILATERAL AGREEMENT. FURTHERMORE, HE SAID, UKG WOULD WANT TO TAKE

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A CLOSE LOOK AT CAPACITY INCREASE THAT WOULD RESULT IF

SEABOARD MAKES SCHEDULE CHANGES OUTLINED AND HE INSINUATE
UKG MIGHT WISH TO CONSULT WITH USG ON CAPACITY ISSUE.

3. SEABOARD REPS SAID AIRLINE HAD TRIED TO MAKE AN
ARRANGEMENT WITH BRITISH AIRWAYS BUT BA SIMPLY NOT INTER-
ESTED AND HAD TOLD SEABOARD IT HAD NO OBJECTION TO PRO-
POSED 747 ROUTING. ROGERS, HOWEVER, SEEMED UNIMPRESSED
AND TOLD THEM SEABOARD SHOULD TRY HARDER TO MAKE A DEAL.
ON NEGOTIATED SETTLEMENT, REPS SAID THEY UNDERSTOOD USG
STILL HELD POSITION THAT RIGHTS TO OPERATE AS REQUESTED
ALREADY EXIST UNDER BILATERAL AND SEABOARD SHARED THIS
VIEW. IN THIS CONNECTION, THEY TOLD ROGERS THEY HAD TAKEN
LEGAL ADVICE ON THIS QUESTION, BELIEVED THEY HAD A STRONG
CASE AND WERE CONSIDERING TAKING ISSUE TO BRITISH COURTS
TO SEEK A DECLARATION ON SEABOARD'S RIGHTS UNDER ITS PER-
MIT. ACCORDING TO SEABOARD REPS, ROGERS CLEARLY BRIDLED
AT THIS INFORMATION AND TOLD THEM IF THEY WENT TO COURT
THEY MUST UNDERSTAND THAT (A) THEY WOULD BE TAKING ON HMG
AND (B) HIS "OPEN DOOR" POLICY TOWARD SEABOARD WOULD HAVE
TO END. WHETHER HE MEANT BY LATTER STATEMENT THAT HE
COULD NOT HOLD DISCUSSIONS WITH SEABOARD WHILE CASE PEND-
ING IN COURTS OR THAT SEABOARD'S OPERATIONS WOULD BE SUB-
JECT TO CLOSER SCRUTINY BECAUSE OF LEGAL ACTION NOT AT
ALL CLEAR.

4. WE UNDERSTAND SEABOARD HAS NOT YET DECIDED WHAT COURSE
OF ACTION IT WILL FOLLOW. IT APPEARS LIKELY IT WILL FILE
NEW 747 SCHEDULE AS DESCRIBED TO ROGERS. WHETHER IT WILL
SUBSTITUTE LONDON FOR SHANNON ON RETURN LEG OF ITALIAN
SERVICES AND/OR TAKE ROUTING ISSUE TO COURT IS LESS
CERTAIN. SPIERS

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